

Colombia

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Freedom of the Press

The press in Colombia continued to work under difficult conditions in 2013. Although the legal environment improved slightly due to enhanced norms regarding access to information, the security of journalists remained a serious problem, with an increased number of threats, attacks, and killings recorded during the year.

The 1991 constitution guarantees the rights to freedom of expression and freedom of information. While defamation remains a criminal offense, in July 2013 the Supreme Court overturned the libel conviction of Luis Agustín González, editor of the newspaper *Cundinamarca Democrática*, and acquitted him of all charges. González had written an editorial in 2008 that criticized a former governor of Cundinamarca. In 2011 he had been sentenced to 20 months in prison by a municipal judge in Fusagasugá, just outside Bogotá, for criminal insult and libel.

Several bills that had the potential to limit freedom of expression, including one that would have restricted journalists' ability to report the results of election polls and other political information, were removed from consideration in the legislature in 2013. However, media outlets continue to face frequent civil lawsuits related to their coverage of sensitive topics, such as organized crime and corruption. The suits require substantial resources to fight in court, even if most are ultimately dropped.

In May 2013, the Constitutional Court validated most sections of the 2012 Law on Transparency and Access to Public Information, which buttresses existing rights guaranteed by the constitution and the 1985 Law Ordering the Publicity of Official Acts and Documents. The new law requires that government agencies make documents related to public contracts, budgets, and personnel available to the public. It also reduces the maximum period that such information can be kept confidential from 30 to 15 years, though the government may extend this period for an additional 15 years under certain conditions. The Constitutional Court made ratification of the law contingent upon the rewording of certain passages in order to limit the scope of information the government can withhold, satisfying some of the objections expressed by local and international press groups. However, the law still does not designate a single agency to implement its provisions, raising concerns about its effectiveness.

Two official bodies are responsible for regulating and licensing the broadcast media. The Ministry of Information Technologies and Communications regulates the licensing of radio outlets. In 2012, the nominally independent National Television Authority (ANTV) replaced the National Commission on Television (CNTV) as the television regulator. The CNTV was regarded as highly politicized in practice, with the process of licensing a third private television station drawing particular criticism in recent years. In May 2013, the ANTV passed resolution 0433, ostensibly to bolster the community television sector by lengthening the terms of channels' operating licenses and giving them access to government resources to help scale up their operations. However, critics contend that other elements in the resolution, such as a limit on the maximum number of subscribers, are intended to stifle the industry. No licensing is necessary for print media.

Death threats, kidnappings, and physical attacks against journalists remain a serious concern. In 2013, one journalist and one other media worker were murdered for motives related to their work. Édison Alberto Molina, a lawyer and host of a weekly radio program, was shot and killed in September while riding his

motorcycle in Puerto Berrío, in the department of Antioquia. Molina had frequently denounced local government corruption on his call-in program and had received several threats in the months leading up to the attack. Later in September, José Darío Arenas, a newspaper vendor in the town of Caicedonia in the department of Valle del Cauca, was shot dead by unidentified gunmen. Arenas had collaborated with journalists to expose alleged misdeeds by guards at a local prison. No suspects had been arrested in either case as of the end of 2013.

A number of additional attacks and murder attempts on journalists occurred during the year. In March, Juan David Betancur, who heads the monthly *El Panamericano* and reports for two radio stations in Antioquia, received a letter bomb at his home. The package included a note warning Betancur to stop reporting on local corruption and a former rebel figure operating in the area. In May, prominent journalist Ricardo Calderón, head of the investigative unit at Colombia's leading newsweekly, *Semana*, escaped unharmed from gunmen who attacked him at a toll booth outside Bogotá. Calderón had authored multiple reports on controversial topics, and prior to the attack he was researching special benefits allegedly received by military officials who had been convicted and imprisoned for human rights abuses. In December, television journalist Diego Gómez Valverde was shot and seriously wounded in an attack in Valle del Cauca.

Journalists throughout the country, but particularly in rural areas, face harassment from various actors, including local criminals, drug-trafficking groups known as *bacrim*, guerrilla movements, and the government. Topics considered sensitive include corruption, organized crime, drug trafficking, and extrajudicial executions. Journalists working in and around the city of Medellín have been subjected to an increasing number of threats in recent years due to an ongoing turf battle between rival drug gangs. Award-winning journalist, kidnapping victim, and press freedom advocate Jineth Bedoya Lima of *El Tiempo*, the nation's largest newspaper, received another in a years-long series of threats in January. In May, a group opposing the country's ambitious land-restitution efforts warned eight journalists in northern Colombia that they would be killed unless they immediately left the area.

Press watchdogs also raised concerns about the police's inadequate protection of journalists during protests, and in some cases their role in physical attacks on members of the press. During a peaceful demonstration by indigenous groups in October, riot police attacked and stole equipment from three journalists from Cauca and Cesar departments. Reporters covering a coffee workers' strike in the departments of Huila and Tolima in February and March also faced violence from police forces. In July, a television news director in Antioquia was forced from his job after local government officials secretly recorded an editorial board meeting in which he criticized various politicians.

In 2013, several journalists fled the country or relocated within Colombia because of death threats, including prominent journalist-analysts Claudia López and León Valencia. The Freedom of the Press Foundation recorded 75 threats among the 123 acts of aggression against journalists in 2013. A pervasive climate of fear has led to self-censorship, particularly in rural settings and during election periods. The government operates an extensive program that provides protection to scores of journalists, although reporters have criticized the program's effectiveness and occasionally accused the bodyguards of spying.

Impunity for those who threaten, attack, or kill members of the press continues to be widespread in Colombia. A 2010 reform extended the statute of limitations for violent crimes against journalists and human rights defenders from 20 to 30 years. The extension, however, only applies to crimes committed after 2000, with the previous limit still applying to older crimes. Murders classified as crimes against humanity have no statute of limitations. The attorney general ordered that the 1993 murder of José Eustorgio Colmenares, director and founder of *La Opinión* newspaper, be classified as a crime against humanity in March 2013, one day before the statute of limitations was reached. However, during the year the government let the statute of limitations pass for the murders of six other journalists.

Another setback was the December acquittal of Dixon Ferney Tapasco, a former congressman accused of

masterminding the 2002 murder of the managing editor of the newspaper *La Patria*, Orlando Sierra Hernández. Also in December, however, a prosecutor ordered the arrest of seven former officials in the country's now-defunct intelligence service, the Department of Administrative Security, for psychological torture against journalist Claudia Julieta Duque. In February, a police officer was charged with involuntary manslaughter for the November 2012 death of journalist Guillermo Quiroz Delgado, who died when he fell off the back of a truck after being taken into police custody during a protest in the department of Sucre.

Media ownership is highly concentrated among a few groups of private investors, and television is the dominant news medium. Independent and privately owned print and broadcast media are generally free to express a variety of opinions and cover sensitive issues without official restrictions. All print media in Colombia are privately owned. The government operates three public television stations, but the two private free-to-air networks dominate the ratings. The pattern in radio is similar, with the two public national radio stations attracting a small audience share. There are hundreds of community radio stations, which sometimes face pressure from the government and armed groups. Local media depend heavily on advertising by regional and municipal government agencies to stay in business, encouraging collusion among media owners, journalists, and officials. Given these challenging conditions, media groups praised the launch of a new newspaper in the department of Cauca in January 2013. The region suffers from deep poverty and violence, and had recently seen the closure of its major newspaper and a radio station.

There are no government restrictions on access to the internet, and 52 percent of the population used the medium in 2013. An increasing share of the public is using social-networking websites such as Facebook, and digital communication is proving an effective tool for many journalists in fighting censorship, corruption, and organized crime.

2014 Scores

Press Status

Partly Free

Press Freedom Score

(0 = best, 100 = worst)

54

Legal Environment

(0 = best, 30 = worst)

11

Political Environment

(0 = best, 40 = worst)

27

Economic Environment

(0 = best, 30 = worst)